

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Case No Cr.17-26 RGA
)	
KEITH CAMPBELL,)	
)	
Defendant.)	

**MOTION FOR ENTRY OF UNOPPOSED
PROTECTIVE ORDER GOVERNING DISCOVERY**

Pursuant to Fed. R. Crim. P. 16(d), the United States of America, by Edmond Falgowski, Assistant United States Attorney for the District of Delaware, moves for the entry of an unopposed protective order, and in support thereof states as follows:

1. The defendant is charged by three-count Indictment with kidnapping, in violation of Title 18, United States Code, Section 1201, attempted robbery affecting interstate commerce, in violation of Title 18, United States Code, Section 1951, and conspiracy to commit robbery affecting interstate commerce, in violation of Title 18, United States Code, Section 1951.

2. The discovery to be provided by the government in this case includes material, the unrestricted dissemination of which could adversely affect law enforcement interests and the personal privacy interests and/or safety of victims and witnesses. Specifically, this material consists of police reports and documents, containing the names, addresses and other personal identifying information of victims and witnesses, and also video-recorded interviews of victims and witnesses. Said

materials have been placed by the government on CD# 3 through CD# 10 (“the Sensitive Information”). The government wants to prevent the Sensitive Information from becoming publicly disseminated.

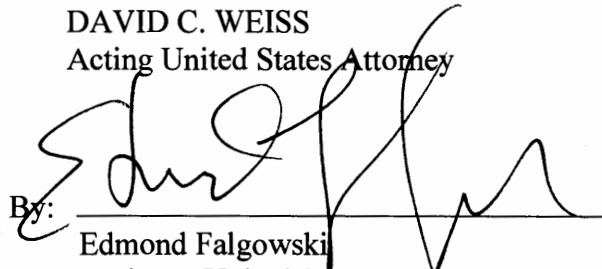
3. The government has discussed the proposed protective order with Akin Adepaju, Esq., counsel for the defendant, and Defense Counsel does not oppose the entry of the proposed order. However, Defense Counsel has requested, and the government concurs, that Defense Counsel has the right to revisit this issue with the Court if Counsel believes it is in the best interest of Counsel’s client.

WHEREFORE, the government respectfully moves this Court to enter the proposed protective order.

Respectfully Submitted,

DAVID C. WEISS
Acting United States Attorney

By:


Edmond Falgowski
Assistant United States Attorney

Dated:

5/8/17

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PROTECTIVE ORDER

WHEREAS the defendant has requested the production of police reports and documents, containing the names, addresses and other personal identifying information of victims and witnesses, and also video-recorded interviews of victims and witnesses, said materials having been placed by the government on CD# 3 through CD# 10 (“the Sensitive Information”) ; and

WHEREAS the government seeks to prevent the Sensitive Information from becoming publicly disseminated; and

WHEREAS the defendant has requested the Sensitive Information for the purpose of preparing a defense and/or determining whether to pursue a non-trial disposition of the case; and

WHEREAS the government is willing to provide the Sensitive Information sooner than may be required by applicable law, but is concerned that the Sensitive Information be carefully controlled;

IT IS HEREBY STIPULATED, AGREED and ORDERED that

1. Counsel for the government may provide to Defense Counsel the Sensitive Information or otherwise make it available to Defense Counsel.

2. As provided below, Defense Counsel may use the Sensitive Information solely of the purpose of preparing a defense to the charges pending in the above-captioned case or to determine whether a non-trial disposition is appropriate.

3. Defense Counsel shall maintain sole custody and control over the Sensitive Information. While Defense Counsel (including his necessary staff), when physically present with the defendant, may show to and play for the defendant the Sensitive Information, Defense Counsel may not permit or enable the defendant to retain his own copies. Further, Defense Counsel may not permit or enable witnesses, or anyone other than Defense Counsel's necessary staff members assisting in the above-captioned case to view or listen to the Sensitive Information, or any summary, extract, or verbatim account thereof. Before any such disclosure is made to staff members, Defense Counsel must provide them with a copy of this Order.

4. If the Sensitive Information or any portion of it is to be filed with the Court in connection with this matter, or referred to in any pleading filed with the Court, such document shall be filed with the Clerk of the Court under seal and in sealed envelopes prominently marked with the caption of this case and the notation: "Contains Information Subject to Protective Order."

5. If a non-trial disposition is not reached in this case, Defense Counsel reserves the right to challenge the scope of this Stipulated Protective Order, as well as what material the government designates as Sensitive Information.

6. Defense Counsel shall not make copies of the Sensitive Information and it must be returned to the government upon conclusion of this case.

SO ORDERED this _____ day of _____, 2017.

HONORABLE RICHARD G. ANDREWS
UNITED STATES DISTRICT COURT